

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
Felix Paul Jaecklin) Conf. No.: 8576
Application No.: 10/645,601)
Filed: August 22, 2003) Group Art Unit: 3637
For: STUCTURE, ESPECIALLY A SLOPE-)
SUPPORTING STRUCTURE AND/OR NOISE-)
BARRIER STRUCTURE)

Renewed Petition under 37 CFR 1.181 to Withdraw the Holding of Abandonment

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Attention: Box Petitions

Dear Sir:

In response to the Decision on Petition dated March 9, 2011, the period for response having been extended by the Petition and Fee under 37 C.F.R. 1.136(a), Petitioner herewith renews the previously filed petition under 37 C.F.R. 1.181 to withdraw the holding of abandonment of the subject application. In further support of this petition, Practitioner states that the Office action of December 28, 2007 was not received by Practitioner's former or present firms, and that a search of the file jacket and docket records of his present and former firms indicates that the non-responded Office action of December 28, 2007 was not received by either of such firms, submits herewith the declarations of the Practitioner and Thomas P. Pavelko, also a partner of Practitioner's prior and present firms, attesting to such facts and submits a substitute response to the Office action of November 13, 2007 as required in the notice of non-compliant amendment dated December 28, 2007. Practitioner further advises that to the extent that Practitioner has been able to determine as evidenced by a review of the image file wrapper of the Patent Application Information Retrieval website, a copy of which is submitted herewith, there is no outstanding Office action having been mailed on February 12, 2009, referred to on page 2,

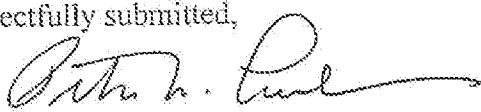
second full paragraph under the subtitle "With respect to item 1;" of the decision on petition dated March 9, 2011.

Petitioner further states that the entire delay in filing the required reply from the due date for reply to the outstanding Office action until filing of a grantable petition was unintentional.

In view of the foregoing, Practitioner respectfully requests that the adverse decision on petition in the above application be withdrawn and that such petition be granted.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith, or credit any overpayment, to our Deposit Account No. 14-1437.

Respectfully submitted,



Peter N. Lalos
Registration No. 19,789

Date: May 10, 2011



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Available Documents									
Mail Room Date	Document Code	Document Description	Document Category	Page Count	PDF				
03-05-2011	PETDEC	Petition Decisive	PROSECUTION	3					
06-08-2009	PET.QP	Petition for review by the Office of Petitions.	PROSECUTION	2					
06-08-2009	AF/D	Rule 130, 131 or 132 Affidavits EFS	PROSECUTION	2					
06-08-2009	N417	Acknowledgment Receipt	PROSECUTION	2					
04-08-2009	ABN	Abandonment	PROSECUTION	2					
04-26-2008	C.A.D	Change of Address EFS	PROSECUTION	2					
04-26-2008	N417	Acknowledgment Receipt Notice to the applicant regarding a non-compliant or non-responsive amendment	PROSECUTION	2					
12-26-2007	NTC/A.NONCPL	Notice to the applicant regarding a non-compliant or non-responsive amendment	PROSECUTION	2					
12-26-2007	NTC/A.NONCPL	Request for Continued Examination (RCE) Amendment Submitted/Entered with Filing of CPA/RCE	PROSECUTION	2					
11-13-2007	RCEX	Request for Continued Examination (RCE)	PROSECUTION	1					
11-13-2007	AMSB	Amendment Submitted/Entered with Filing of CPA/RCE	PROSECUTION	1					
11-13-2007	SPEC	Specification	PROSECUTION	1					
11-13-2007	CLM.NE	Claim Amendment Not Entered	PROSECUTION	1					
11-13-2007	REM	Applicant Arguments/Remarks Made in an Amendment	PROSECUTION	3					
11-13-2007	DRW	Drawings-new black and white line drawings	PROSECUTION	1					
11-13-2007	WFEE	Fee Worksheet (PTO-8751 EFS)	PROSECUTION	2					
11-13-2007	N417	Acknowledgment Receipt	PROSECUTION	2					
11-13-2007	WFEE	Fee Worksheet (PTO-8751)	PROSECUTION	1					
08-10-2007	CTFR	Final Rejection List of references cited by examiner	PROSECUTION	16					
08-10-2007	392	Prior Art	PROSECUTION	1					
08-10-2007	FWCLM	Index of Claims	PROSECUTION	1					
08-10-2007	SRFW	Search Information including classification, databases and other search related notes	PROSECUTION	1					
08-04-2007	ELC	Response to Election / Restriction Filed	PROSECUTION	1					

06-04-2007	REM	<u>Applicant Arguments/Remarks</u> Made in an Amendment	PROSECUTION	2	<input checked="" type="checkbox"/>
05-03-2007	CTRS	Requirement for Restriction/Election	PROSECUTION	7	<input checked="" type="checkbox"/>
03-02-2007	WFEE	Fee Worksheet (PTO-2875)	PROSECUTION	1	<input checked="" type="checkbox"/>
12-28-2006	NTC.PUB	Notice of Publication	PROSECUTION	1	<input checked="" type="checkbox"/>
08-07-2006	PEFR	Applicant Response to Pre-Exam Formalities Notice	PROSECUTION	1	<input checked="" type="checkbox"/>
08-07-2006	A.PE	Preliminary Amendment	PROSECUTION	1	<input checked="" type="checkbox"/>
08-07-2006	ABST	Abstract	PROSECUTION	1	<input checked="" type="checkbox"/>
08-07-2006	REM	<u>Applicant Arguments/Remarks</u> Made in an Amendment	PROSECUTION	1	<input checked="" type="checkbox"/>
06-16-2006	PEFN	Pre-Exam Formalities Notice Amendment/Response	PROSECUTION	1	<input checked="" type="checkbox"/>
06-16-2006	A...	Reconsideration after Non-Final Rejection	PROSECUTION	1	<input checked="" type="checkbox"/>
06-16-2006	SPEC	Specification	PROSECUTION	4	<input checked="" type="checkbox"/>
06-16-2006	CLM	Claims	PROSECUTION	5	<input checked="" type="checkbox"/>
06-16-2006	ABSTRACT	Abstract	PROSECUTION	5	<input checked="" type="checkbox"/>
06-16-2006	REM	<u>Applicant Arguments/Remarks</u> Made in an Amendment	PROSECUTION	5	<input checked="" type="checkbox"/>
06-16-2006	DRW	Drawings-only black and white line drawings	PROSECUTION	1	<input checked="" type="checkbox"/>
06-16-2006	WFEE	Fee Worksheet (PTO-2875)	PROSECUTION	1	<input checked="" type="checkbox"/>
09-12-2006	PEFN	Pre-Exam Formalities Notice	PROSECUTION	1	<input checked="" type="checkbox"/>
05-02-2006	CTNF	Non-Final Rejection	PROSECUTION	8	<input checked="" type="checkbox"/>
05-02-2006	892	List of references cited by examiner	PRIOR ART	1	<input checked="" type="checkbox"/>
05-02-2006	BBB	Bibliographic Data Sheet	PROSECUTION	1	<input checked="" type="checkbox"/>
05-02-2006	SRFW	Search information including classification, databases and other search related notes	PROSECUTION	1	<input checked="" type="checkbox"/>
05-02-2006	FWCLM	Index of Claims	PROSECUTION	1	<input checked="" type="checkbox"/>
04-24-2006	SRNT	Examiner's search strategy and results	PROSECUTION	1	<input checked="" type="checkbox"/>
03-24-2006	PEFN	Pre-Exam Formalities Notice	PROSECUTION	1	<input checked="" type="checkbox"/>
03-06-2006	PET,DEC,OIPB	Petition decision routed to the OIPB to act on the decision or continue prosecution.	PROSECUTION	1	<input checked="" type="checkbox"/>
03-01-2006	STATUS,LET	Request for status of Application	PROSECUTION	1	<input checked="" type="checkbox"/>
11-02-2005	PET,OP	Petition for review by the Office of Petitions.	PROSECUTION	5	<input checked="" type="checkbox"/>
11-02-2005	PEFR	<u>Applicant Response</u> to Pre-Exam Formalities Notice	PROSECUTION	2	<input checked="" type="checkbox"/>
11-02-2005	SPEC	Specification	PROSECUTION	8	<input checked="" type="checkbox"/>
11-02-2005	CLM	Claims	PROSECUTION	6	<input checked="" type="checkbox"/>
11-02-2005	DRW	Drawings-only black and white line drawings	PROSECUTION	6	<input checked="" type="checkbox"/>
11-02-2005	OATH	Oath or Declaration filed	PROSECUTION	2	<input checked="" type="checkbox"/>
07-14-2005	ABN	Abandonment	PROSECUTION	2	<input checked="" type="checkbox"/>
11-01-2004	PEFN	Pre-Exam Formalities Notice	PROSECUTION	1	<input checked="" type="checkbox"/>
11-01-2004	PEFN	Pre-Exam Formalities Notice	PROSECUTION	2	<input checked="" type="checkbox"/>
12-15-2003	PEFN	Pre-Exam Formalities Notice	PROSECUTION	2	<input checked="" type="checkbox"/>

08-22-2003	TRMA	Transmittal of New Application	PROSECUTION	5	<input checked="" type="checkbox"/>
08-22-2003	136A	Authorization for Extension of Time all replies	PROSECUTION	5	<input checked="" type="checkbox"/>
08-22-2003	SPECNO	Specification - Not in English	PROSECUTION	15	<input checked="" type="checkbox"/>
08-22-2003	DPW	Drawings - only black and white line drawings	PROSECUTION	5	<input checked="" type="checkbox"/>
08-22-2003	OATH	Oath or Declaration filed	PROSECUTION	2	<input checked="" type="checkbox"/>
08-22-2003	A.PE	Preliminary Amendment	PROSECUTION	1	<input checked="" type="checkbox"/>
08-22-2003	CLM	Claims	PROSECUTION	1	<input checked="" type="checkbox"/>
08-22-2003	REM	Applicant Arguments/Remarks Made in an Amendment	PROSECUTION	1	<input checked="" type="checkbox"/>
08-22-2003	WFEE	Fee Worksheet (PTO-875)	PROSECUTION	3	<input checked="" type="checkbox"/>
08-22-2003	WFEE	Fee Worksheet (PTO-875)	PROSECUTION	1	<input checked="" type="checkbox"/>
08-22-2003	LET	Miscellaneous Incoming Letter	PROSECUTION	2	<input checked="" type="checkbox"/>
08-22-2003	WFEE	Fee Worksheet (PTO-875)	PROSECUTION	1	<input checked="" type="checkbox"/>

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